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Letter dated 27 September 2016 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit a letter dated 23 September 2016 from the Commissioner for Peace and Security of the African Union Commission, Smaïl Chergui, on behalf of the Chairperson of the African Union Commission, Nkosazana Dlamini-Zuma (see annex), forwarding the communiqué on the situation in Somalia and the African Union Mission in Somalia of the 622nd meeting of the African Union Peace and Security Council, held in Addis Ababa on 6 September 2016, as well as the report of the Chairperson on Somalia.

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

On behalf of the Chairperson of the Commission of the African Union, Nkosazana Dlamini-Zuma, I would like to forward, herewith attached, the communiqué on the situation in Somalia and the African Union Mission in Somalia (AMISOM) adopted at the 622nd meeting of the African Union Peace and Security Council, held in Addis Ababa on 6 September 2016 (enclosure I).

On the basis of the observations made in the report of the Chairperson of the African Union Commission on Somalia (enclosure II), and the briefing provided by her Special Representative and Head of AMISOM, Francisco Madeira, the Peace and Security Council acknowledged the progress made in the political process, especially in the planning for the upcoming elections in Somalia. It welcomed renewed efforts made by AMISOM leadership in enhancing operational command and control, and stressed the need for African Union-led coordinated efforts, including in the area of strengthening of Somalia security institutions.

The African Union looks forward to the support of the United Nations in the implementation of the decisions contained in the Peace and Security Council communiqué, and it would be appreciated if the document, along with the report of the Chairperson on Somalia, could be circulated to the United Nations Security Council.

(*Signed*) Smaïl **Chergui**
Commissioner for Peace and Security

Enclosure I

[Original: English and French]

Communiqué on the situation in Somalia

The Peace and Security Council of the African Union, at its 622nd meeting, held on 6 September 2016, adopted the following decision on the consideration of the report of the Chairperson of the Commission on Somalia:

The Council,

1. **Endorses** the report of the Chairperson of the African Union Commission on Somalia, **takes note** of the briefing provided by the Special Representative of the Chairperson of the Commission and Head of the African Union Mission in Somalia (AMISOM), Francisco Caetano Madeira, on the situation in Somalia, and **also takes note** of the statements made by the representatives of Ethiopia, in its capacity as the Chair of the Intergovernmental Authority on Development (IGAD), the IGAD secretariat and the United Nations;

2. **Condemns in the strongest possible terms** recent attacks by the terrorist group Al-Shabaab against civilians in some public places in Mogadishu and across the interim regional administrations, **expresses** its deepest condolences to the families affected by these recent attacks, **reaffirms** the African Union's solidarity with the people and Government of Somalia, and **supports** the country towards the elimination of Al-Shabaab, as well as the promotion of peace, stability and reconciliation in Somalia;

3. **Commends** the progress made by the Federal Government of Somalia in the conduct of the upcoming elections based on a unique political process but infused with technical election components that is expected to set the foundation for universal suffrage by 2020, in this respect, **endorses** the 2016 election calendar as announced by the National Leadership Forum as follows: Upper House elections (25 September); House of Representatives (24 September); swearing in of House of Parliament Members (20 October); election of the Speaker (25 October); election of the President (30 October), **stresses** the need for adherence to these timelines, and **reiterates** the commitment of the African Union and AMISOM to support the Federal Government of Somalia towards a credible and inclusive electoral process including the 30 per cent representation of women in the legislative arm of government;

4. **Welcomes** efforts by the African Union Commission and AMISOM in supporting the conduct of elections in Somalia, **notes** the conduct of an African Union pre-electoral assessment in Mogadishu in July 2016, which focused on identifying the best form of technical assistance to support the elections in Somalia, and, on the basis of this assessment, **requests** the African Union Commission to expedite the deployment of technical experts, as well as provide other relevant forms of support to AMISOM in order to assist and reinforce the Mission's capacity ahead of the elections;

5. **Reiterates** the importance of the effective implementation of other pillars of the political process as envisaged in Vision 2016, **encourages** the Federal

Government of Somalia, with the support of AMISOM, to continue with the process of establishing permanent democratic institutions, including through the completion of the State formation and constitutional review processes, and **also encourages** the Government to continue its efforts towards the facilitation of a successful reconciliation process between clans and militia groups in Juba State and the Galmudug Interim Administration, as well as in the promotion of dialogue between Hiraan and Middle Shabelle, which should lead to the establishment of the final regional administration;

6. **Expresses satisfaction** with the steps taken by the Commission and AMISOM towards the effective implementation of the 2016 revised concept of operations, which was adopted by the Council at its 608th meeting, held on 29 June 2016, **welcomes** in particular the efforts by AMISOM and the Somalia National Security Forces to renew offensive operations towards degrading the capabilities of Al-Shabaab while also promoting elections security, in addition, **commends** efforts made by the newly deployed AMISOM Force Commander in enhancing greater coordination across AMISOM sectors of operations, and **urges** the Mission leadership to spare no efforts in sustaining and improving on the revitalization of AMISOM operations;

7. **Underlines** the importance of the deployment of air assets to support AMISOM operations, accordingly **takes note** of the efforts by the African Union Commission, the United Nations and a number of AMISOM troop-contributing countries, namely Ethiopia and Kenya, in the conduct of inspection visits and through negotiations on the finalization of tripartite letters of assist, which will facilitate the deployment of these air assets, and **encourages** all stakeholders to ensure the finalization and deployment of these assets, without further delay, given the critical phase of current AMISOM operations;

8. **Commends** the efforts made by AMISOM and its troop-contributing countries towards adherence to international humanitarian law and the promotion of human rights in the conduct of operations in Somalia, in this regard, **expresses** satisfaction with and appreciation of the recent efforts made by the Mission to deploy investigative teams in relation to alleged violations and the establishment of an in-mission court martial by the Uganda People's Defence Forces to undertake trials of some soldiers for alleged misconduct, and **requests** that the African Union Commission ensure its full support to AMISOM in setting these exemplary standards and in further enhancing its accountability regime;

9. **Emphasizes** the need for the Federal Government of Somalia, in coordination with AMISOM and other stakeholders, to implement a comprehensive security strategy in Somalia, which will seek to effectively balance the conduct of military operations with other security measures, such as the strengthening of State authority, the provision of basic services and the implementation of broader forms of stabilization activities, in this regard, **takes note** of the upcoming security event on Somalia, to be held in London on 7 September 2016, and **urges** all regional and international stakeholders to ensure an African Union-led, inclusive and properly coordinated process aimed at promoting sustainable security in Somalia;

10. **Reiterates its call** to the United Nations Security Council to consider lifting the arms embargo imposed on Somalia as contained in United Nations

Security Council resolution 2244 (2015), as a critical aspect of building capable Somalia security institutions, and to ensure that the criteria for the provision of arms are commensurate with the prevailing state of bureaucracy in Somalia, and consequently **stresses** the need for the Federal Government of Somalia to ensure the highest degree of responsibility in the management, storage and security of stockpiles;

11. **Reiterates** the importance of an AMISOM exit strategy based on the indicative timelines set in the 2016 revised concept of operations, **stresses** the need for the African Union Commission to commence a stocktaking exercise in the light of the upcoming 10-year anniversary of the deployment of AMISOM, in this regard, **requests** the African Union Commission to conduct a comprehensive lessons learned exercise, which will identify progress made and challenges encountered and more importantly recommend options on the way forward in the future of AMISOM, including the Mission exit strategy, and **further requests** that a report on this lessons learned exercise be submitted to the Council for its consideration no later than December 2016;

12. **Renews its appreciation** to the troop- and police-contributing countries, namely Burundi, Djibouti, Ethiopia, Kenya, Nigeria and Uganda, for their huge sacrifices and continued commitment in support of peace, security and stability in Somalia;

13. **Further expresses appreciation** to the European Union and the United Nations, as well as other bilateral donors, for their financial support to AMISOM, and **renews the call** for continued support, bearing in mind that collective efforts in Somalia are an expression of solidarity and the preservation of international peace and security;

14. **Requests** the Commission to transmit the present communiqué alongside the report of the Chairperson of the Commission on Somalia to the United Nations Secretary-General for onward transmission to the United Nations Security Council for its action as appropriate;

15. **Decides** to remain actively seized of the matter.

Enclosure II

Report of the Chairperson of the African Union Commission to the Peace and Security Council on Somalia

I. Introduction

1. It will be recalled that the Peace and Security Council, at its 608th meeting, held on 29 June 2016 in Addis Ababa, inter alia, requested the Commission to report to the Council on the implementation of the revised concept of operations of the African Union Mission in Somalia (AMISOM). Similarly, the United Nations Security Council, in its resolution 2297 (2016), requested the African Union to keep the Council regularly informed, through the Secretary-General, on the implementation of the Mission's mandate and to report to the Council through the provision of oral updates and no fewer than three written reports, with the first written report by 12 September and every 120 days thereafter.

2. The present report is therefore submitted pursuant to the above-referenced decisions made by the African Union Peace and Security Council and the United Nations Security Council on Somalia. It covers the main political and security developments in Somalia from June to August 2016, with an emphasis on the status of implementation of the 2016 concept of operations.

II. Main political and related developments

3. Somalia continues to make important political progress, especially in relation to State formation, elections and constitutional review. With respect to the State formation process, progress has been made in the formation of regional assemblies in all the established regional administrations. Initiatives have also been led by the Federal Government of Somalia to promote reconciliation between clans and militia groups, as evidenced in the ongoing dialogue in the Jubba Administration and between the Galmudug Interim Administration and the Ahlu Sunna Wal Jama'a. However, the long-standing efforts to establish Hiraan and Middle Shabelle as the final regional administration as envisaged in Vision 2016 remain unresolved. As such, the AMISOM political leadership, in collaboration with other partners including the United Nations Assistance Mission in Somalia, has continued to engage with relevant State actors and to develop a common understanding and approach on how to support inter- and intra-state dialogue and reconciliation.

4. With respect to the constitutional review, there has been slow progress during the period under consideration. The Oversight Committee and the Independent Constitutional Review and Implementation Commission, mandated to review the Provisional Federal Constitution, submitted the report on their recommendation for amendments to the Federal Parliament, which, in June 2016, voted for a constitutional amendment to extend the validity of the Provisional Constitution. While some important achievements have been made in the constitutional review process, particularly in reviewing key chapters of the Constitution, the remaining tasks will be placed before the next Parliament, given the broad consultations and consensus building required. It was against this backdrop that the United Nations was requested

by the Federal Government of Somalia to coordinate efforts to document lessons learned and propose an approach for the future process. Accordingly, AMISOM participated in a high-level "lessons learned and way forward" workshop on the review of the 2012 Provisional Federal Constitution. The workshop provided an opportunity for key stakeholders, both national and international, to conduct an in-depth reflection on the constitutional review process, identifying gaps, challenges, lessons learned and recommendations for the way forward. Such engagement will continue to remain critical as the African Union and other partners seek to support the Federal Government of Somalia in its constitutional review process.

5. The most prominent developments in the political sphere in Somalia have been most evident in the electoral process, especially in terms of the timelines, electoral planning and security. On the timelines, the African Union Commission commends the announcement by the National Leadership Forum of the indicative dates of the elections, which are scheduled to be held in 2016 as follows: Upper House elections (25 September); House of Representatives (24 September); swearing in of House of Parliament Members (20 October); election of the Speaker (25 October); election of the President (30 October). The African Union Commission would like to reassure the Federal Government of Somalia of its continued support in order to ensure full adherence to this election calendar.

6. In order to ensure a smooth electoral process, Federal/State-level Indirect Electoral Implementation Teams have been formed at both the federal and state levels, respectively. This ad hoc body has been temporarily tasked by the National Leadership Forum to conduct the planning for the upcoming elections; the Teams have not replaced the National Independent Electoral Commission as the statutory body for future electoral processes. The Federal Government of Somalia aspires towards universal suffrage by 2020. In the meantime, the African Union has commenced support to the Teams ahead of the upcoming elections. In this respect, the African Union conducted a pre-electoral assessment in July 2016, in order to identify the best form of technical assistance to support the elections. On the basis of this assessment, the African Union Department of Political Affairs will be deploying technical experts to AMISOM in order to assist and reinforce the Mission's capacity ahead of the conduct of elections. The Special Representative and Head of AMISOM has also continued to engage with relevant stakeholders in Somalia in order to ensure an inclusive and credible electoral process.

7. As part of the ongoing efforts to ensure that elections are conducted in a conducive and safe environment, AMISOM, in coordination with the Federal Government of Somalia, the United Nations, the Somalia National Security Forces and international partners, provided substantive support in the formulation of an electoral security plan. Consequently, on 23 July 2016, after three weeks of internal consultations, the Somalia National Security Forces, with the support of AMISOM, developed a draft electoral security plan. In addition, AMISOM took part in the joint African Union-United Nations-Federal Indirect Electoral Implementation Team electoral logistics and security assessment missions to Baidoa, Garoowe, Adado, Mogadishu and Kismaayo from 15 to 24 August 2016. This joint collaboration and coordination between the Federal Government of Somalia and AMISOM, as well as other international partners, will continue to remain vital ahead of the elections.

III. Security situation

8. The period under review registered significant progress as AMISOM and the Somalia National Security Forces continued to expand, control, pacify and consolidate their areas of responsibility. While Al-Shabaab has been considerably weakened, it still maintains the ability to launch sporadic attacks. The nature of the threats is associated with asymmetric attacks, including direct and indirect attacks, ambushes reinforced with improvised explosive devices on AMISOM convoys along main supply routes and hurling of grenades across all sectors. In some places, such as the Juba Valley corridor, as well as within the Hiraan and Galguduud regions, Al-Shabaab intensified its recruitment and training, resource mobilization, and propaganda campaigns against AMISOM and the Somalia National Security Forces. In addition, clan dynamics, spoilers and opportunistic criminal elements also continue to pose security threats in Somalia. Overall, AMISOM and the Somalia National Security Forces have been able to substantially reduce the operational capacity of Al-Shabaab despite the financial and logistical constraints. Yet it is essential to match AMISOM operations with an effective and sustainable political strategy, as well as a comprehensive approach to security and stability in Somalia, including through, but not limited to, the extension of State security and community engagements.

IV. Deployment and operations of the African Union Mission in Somalia

9. The Mission's authorized strength comprises 22,126 uniformed personnel and 70 civilians. The current police- and troop-contributing countries are Burundi, Djibouti, Ethiopia, Kenya, Nigeria and Uganda. In line with the 2016 revised concept of operations, the deployment and conduct of AMISOM operations are highlighted below.

10. In terms of the AMISOM civilian component, the current strength is 58 personnel, comprising African Union-recruited personnel and personnel seconded from partners. These civilian personnel are deployed mostly in Mogadishu, but with some administrative and finance staff based in the AMISOM Rear Support Office in Nairobi. These civilian personnel contribute to the implementation of the Mission's mandate across the political, human rights and protection, gender and other support and substantive functions.

11. The police component has 388 officers deployed in the mission area, consisting of 97 individual police officers, two formed police units, one from Nigeria with 140 officers and the other from Uganda with 139 officers, and 4 officers that make up the Police Senior Leadership Team. AMISOM police continued to provide a mentoring, training and advisory service as well as on-the-job training to the police officers at the stations in all four police divisions in the Banaadir region, Baidoa, Kismaayo and Beledweyne, as well as in Juba State and the Interim South-West Administration. In terms of mentoring, AMISOM police continued to enhance the individual capacities of the Somali police personnel to uplift their basic threshold of policing skills based on practical and theoretical mentoring themes. The daily co-location between AMISOM police and the Somali

Police Force has improved policing skills in various areas, including reception and recording of complaints, investigations, crime scene management, exhibit management, rights of suspects in custody and the practical delivery of basic policing services within communities.

12. The AMISOM military component undertakes joint coordinated operations with the Somalia National Security Forces, including the Somali National Army, and extends its area of operations into all the south-central Somalia states. During the reporting period, the focus of AMISOM operations is on elections security, eliminating the threats posed by Al-Shabaab and strengthening the capacity of the 10,900 national army forces as part of the Mission's exit strategy. As part of efforts to enhance AMISOM military strength, a new Force Commander was appointed by the African Union Commission in July 2016. Since his deployment to the mission area, the Force Commander has sought to promote enhanced coordination across AMISOM sectors of operations, including through the convening of a joint African Union-Somali National Army sector commanders conference, whose outcome is expected to lead to renewed coordinated offensive operations against Al-Shabaab.

13. Amid AMISOM operations, there have been enhanced efforts by the Mission's leadership in collaboration with troop- and police-contributing countries to strictly adhere to international humanitarian law and the promotion of human rights. In this respect, the reporting period has been characterized by the finalization of relevant policies associated with conduct and discipline, compensation related to the Civilian Casualty Tracking, Analysis and Response Cell and the finalization of AMISOM standard operating procedures on boards of inquiry. In addition, joint investigative teams were deployed in relation to some allegations and an in-mission court martial was established to undertake trials of some soldiers for alleged misconduct.

14. With regard to the deployment of air assets, the African Union and the Government of Kenya held a meeting regarding the finalization of a tripartite letter of assist for the deployment of air assets pledged by Kenya for AMISOM operations. It was agreed that the air assets would be based in Dhooble and under the authority of the AMISOM Force Commander. Similarly, an inspection team conducted an assessment between 3 and 6 May 2016 of the air assets pledged by the Ethiopian National Defence Forces, and the three Mi-35 attack helicopters were found to be airworthy.

15. Consultations are also ongoing between the African Union, the United Nations and the troop- and police-contributing countries on the tripartite memorandum of understanding concerning specific arrangements for the reimbursement to troop- and police-contributing countries of appropriate items of contingent-owned equipment.

V. Support from the United Nations Support Office in Somalia to the operations of the African Union Mission in Somalia

16. There has been incremental efficiency in the provision of support to AMISOM by the United Nations Support Office in Somalia (UNSOS) across the Mission's sectors of operations. Highlights of UNSOS support to AMISOM are discernible in the areas of enhanced security infrastructures at AMISOM headquarters, rotation of

AMISOM contingents, delivery of defence stores and provision of medical facilities in some sectors. Overall, logistical support has been ongoing, but there is a need for UNSOS to enhance the delivery of support to the Mission's areas of operation, including through increased AMISOM security of main supply routes.

VI. Observations

17. The general observation on the progress made in Somalia is positive, but sustained regional and international assistance remains critical. It is on the basis of this that I would like the Council to consider the observations below.

18. First, the Federal Government of Somalia needs to sustain its momentum on the political developments in Somalia, with concerted support from regional and international partners. In this respect, I would like to reiterate the decision made by the Council at its 608th meeting, on 26 July 2016, for the Federal Government of Somalia to ensure strict adherence to the electoral calendar while also ensuring an inclusive and credible process. The people of Somalia have for too long faced the consequences of fragmented political processes caused primarily by insecurity. With the progress made in the degrading of Al-Shabaab capabilities, sustained peace dividends can be assured only by the gains made in the political sphere. The Commission therefore looks forward to the conduct of a credible electoral process including the 30 per cent representation of women in the legislative arm of government. I also implore the Federal Government of Somalia to deepen its efforts towards the completion of the State formation process and the constitutional review. These aspects are fundamental to the promotion of improved governance in Somalia.

19. Second, the African Union must embrace and support Somalia in the implementation of a comprehensive security strategy. For almost a decade, there has been a predominance of achieving hard security primarily through the conduct of military operations, to eliminate the threats posed by Al-Shabaab. Despite the importance of this dimension of security, it has proved to be inadequate for a long-term guarantee of security in Somalia. This is because it has not been sufficiently complemented by the enforcement of soft security strategies associated with strengthening State authority, the implementation of robust stabilization activities aimed at winning the hearts and minds of local communities, the provision of basic services and improving governance. There is a need to promote greater efficiency in the management and distribution of resources in Somalia, as well as the promotion of medium- to long-term stabilization measures. The African Union must reinforce its support to the Federal Government of Somalia in this area.

20. Third, the African Union commends the efforts and sacrifices of troop- and police-contributing countries and AMISOM civilian personnel, also bearing in mind the call by some for an exit strategy. In the light of the need to ensure a time- and condition-based approach to an exit strategy, the 2016 revised concept of operations clearly articulated the basis upon which this will be achieved by 2020. In addition, it is important for the African Union to immediately commence a stocktaking exercise, especially as we approach a decade since AMISOM was deployed. In this regard, I would like to urge the Council to consider authorizing the conduct of a comprehensive lessons learned exercise, which will identify progress made,

challenges encountered and the way forward in AMISOM operations, including with respect to concrete recommendations on the exit strategy of the Mission. The outcome of this lessons learned exercise could inform the Council's decision on the future of AMISOM in Somalia.

21. Fourth, the Commission would like to reassure the Council and the international community of its unrelenting efforts to promote human rights and to strictly adhere to international humanitarian law. In this regard, the Commission, AMISOM and UNSOS are currently working to ensure the finalization of policies related to conduct and discipline and the Civilian Casualty Tracking, Analysis and Response Cell, as well as on boards of inquiry. The recent establishment of in-mission court martials and investigations of alleged abuses are also indicative of the resolve of the African Union Commission to promote enhanced accountability in the Mission.

22. Finally, I would like to recognize the continued support of our partners that have continuously provided financial resources to AMISOM, amid sometimes difficult and varying economic circumstances. We would like to express our appreciation and to renew the call for continued support, bearing in mind that our collective efforts in Somalia are an expression of African solidarity and the preservation of international peace and security.